



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

**AUG 23 2012**

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7010-2780-0001-2211-5261

Mr. David Jemes  
Operations Manager  
Black Oak Recycling and Disposal Facility  
5054 State Highway HH  
Hartville, Missouri 65667

RE: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for Black Oak Recycling and Disposal Facility, 5054 State Highway HH, Hartville, Missouri 65667

Dear Mr. Jemes:

This letter serves to inform you that the U.S. Environmental Protection Agency has made an affirmative determination of acceptability for the receipt of off-site waste at the Black Oak Recycling and Disposal Facility (Black Oak Landfill) in Hartville, Missouri. Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of Black Oak Landfill, and finds Black Oak Landfill acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, the EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, the EPA shall determine if there are relevant releases or relevant violations at the facility.

The EPA corresponded with the Missouri Department of Natural Resources (MDNR) to determine Black Oak Landfill's compliance with applicable environmental standards. The results of the correspondence indicate that Black Oak Landfill is currently in compliance with applicable environmental standards. Therefore, effective upon receipt of this letter, Black Oak Landfill is acceptable to receive CERCLA off-site waste at the facility described above.

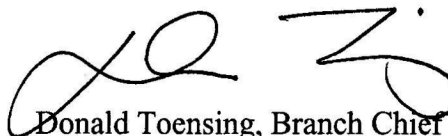


Should any new information affecting this determination develop, the EPA reserves the right to revisit this decision.

By issuing this notice, the EPA is in no way authorizing Black Oak Landfill to undertake any waste management practice at this facility for which Black Oak Landfill has not been previously authorized by the EPA or MDNR.

If you have any questions concerning this matter, please contact Deborah Bredehoff, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Toensing', is written over the printed name.

Donald Toensing, Branch Chief  
Waste Enforcement and Material Management Branch

cc: Ms. Cecilia Campbell, Missouri Department of Natural Resources  
Mr. Dennis Hansen, Missouri Department of Natural Resources  
Missouri Department of Natural Resources Southwest Regional Office  
Mr. Rodney Bloese, Registered Geologist